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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/498,016	02/04/2000	Edward Balassanian	3802-4001	8210

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EXAMINER

WILLETT, STEPHAN F

ART UNIT PAPER NUMBER

2141

DATE MAILED: 03/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/498,016

Applicant(s)

Balassanian

Examiner

Stephan Willett

Art Unit

2141



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jan 10, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 143-185 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 143-185 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 143, 151, 156, 163, 174, 179-185 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. with Patent Number 6,463,464 in view of Wiley et al. with Patent Number 5,687,320.
3. Regarding claim(s) 143, 151, 156, 163, 174, 179, 183, Lazaridis teaches data transfer and discovery. Lazaridis teaches source and destination appliances, col. 5, lines 45-48. Lazaridis teaches source data types for a destinations appliance, col. 7, lines 1-8. Lazaridis teaches pushing data to a destination appliance from a 3rd device, col. 6, lines 63-66. Lazaridis teaches a data header with address and data type code to be sent to a destination, col. 7, lines 64-67. Lazaridis teaches sending the data to a destination that converts the data to a usable form, col. 8, lines 47-49. Lazaridis teaches the invention in the above claim(s) except for explicitly teaching legacy device presence notification. In that Lazaridis operates to transfer data in a computer network, the artisan would have looked to the network communication arts for details of implementing data transfer based on data type. In that art, Wiley, a related network communication system, teaches "allowing a network resource to be discovered on a network", col. 1, lines 6-7 in order to provide diverse communication capabilities. Wiley specifically teaches "network nodes can

announce themselves to all servers on a network”, col. 1, lines 47-48. Further, Wiley suggests “network administration functions include ... information regarding the existence of other devices”, col. 1, lines 16-18 which will result from implementing his communication system. The motivation to incorporate device notification insures all device can communicate. Thus, it would have been obvious to one of ordinary skill in the art to incorporate device notification as taught in Wiley into the communication system described in Lazaridis because Lazaridis operates with new mobile devices and Wiley suggests that optimization can be obtained by using well known device notification methods. Therefore, by the above rational, the above claims are rejected.

4. Regarding claim(s) 180-181, 184-185, Lazaridis teaches source and destination resources identified, col. 7, lines 7-9. Lazaridis teaches a remote device requesting data to be sent to a destination appliance from a source device, col. 10, lines 5-8. Thus, the above claim limitations are obvious in view of the combination.

5. Regarding claim(s) 182, Lazaridis teaches a table of destination resources identified, col. 10, lines 52-53. Thus, the above claim limitations are obvious in view of the combination.

6. Claims 144-150, 152-155, 157-162, 164-173, 175-178 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. with Patent Number 6,463,464 and Wiley et al. with Patent Number 5,687,320 in view of Chang et al. with Patent Number 5,974,449.

7. Regarding claim(s) 144-146, 157-159, 165-167, Lazaridis-Wiley teaches data transfer and discovery. Lazaridis-Wiley teaches the invention in the above claim(s) except for explicitly

teaching mapping and tables. In that Lazaridis-Wiley operates to transfer data in a computer network, the artisan would have looked to the network communication arts for details of implementing data transfer based on lookup tables. In that art, Chang, a related network communication system, teaches an "invention provides Messaging between disparate Messaging interfaces that may employ different Messaging formats", col. 3, lines 66-67 in order to provide diverse communication capabilities. Change teaches mapping and tables, col. 6, lines 66-1. Further, Chang suggests that "the unique user name and mailbox ID assigned to a subscriber", col. 6, lines 4-5 and the "system provides notification to an intended recipient using the delivery notification, and presents the processed message having a content format of a second type to the intended recipient", col. 4, lines 21-24 will result from implementing his communication system. The motivation to incorporate device tables insures that a recipient is informed of the devices for easier processing and conversion. Thus, it would have been obvious to one of ordinary skill in the art to incorporate the tables as taught in Chang into the communication system described in Lazaridis-Wiley because Lazaridis-Wiley operates with numerous devices and Chang suggests that optimization can be obtained by using tables. Therefore, by the above rational, the above claims are rejected.

8. Regarding claims 147, 152, 160, 168, Change teaches destination content types, col. 3-4, lines 34-36. Thus, the above claim limitations are obvious in view of the combination.

9. Regarding claims 148, 153, 161, 169, 175, Chang teaches an ID for the recipient resource, col. 7, lines 34-39. Thus, the above claim limitations are obvious in view of the combination.

10. Regarding claims 149, 155, 162, 164, 170, 173, 176, Chang teaches converting data before sending the data, col. 7, lines 41-47. Thus, the above claim limitations are obvious in

view of the combination.

11. Regarding claims 150, 154, 171, 177, Chang teaches using multiplexing with data conversion, col. 11, lines 24-25. Thus, the above claim limitations are obvious in view of the combination.

12. Regarding claims 172, 178, Chang teaches conversion at an intermediate interface, col. 5, lines 33-35. Thus, the above claim limitations are obvious in view of the combination.

### ***Response to Amendment***

13. The broad claim language used is interpreted on its face and based on this interpretation the claims have been rejected.

14. The limited structure claimed, without more functional language, reads on the references provided. The limited structure claimed, without more functional language, reads on the references provided. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

15. Applicant suggests the references do not teach "header", Paper No. 13, Page 14, lines 10-11. Every piece of data sent through layers 2-7 in a computer network has a header with an address and data type, the communication channel was usually was set up in advance. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.. The other references cited teach

numerous other ways to push data to and by 3rd party devices, but with added value, thus a close review of them is suggested.

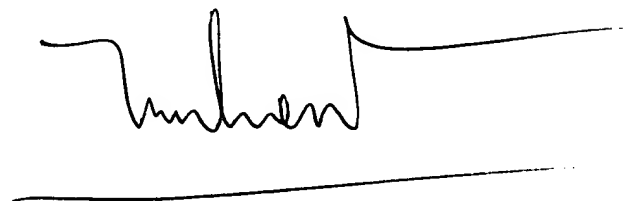
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

19. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

sfw

February 6, 2003

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written above a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER